

Order

Michigan Supreme Court
Lansing, Michigan

October 22, 2014

Robert P. Young, Jr.,
Chief Justice

Rehearing No. 602

Michael F. Cavanagh
Stephen J. Markman

147428

Mary Beth Kelly

Brian K. Zahra

Bridget M. McCormack

David F. Viviano,

Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 147428

COA: 302353

Berrien CC: 2010-015309-FC

DAKOTAH WOLFGANG ELIASON,
Defendant-Appellant.

On order of the Court, the motion for rehearing and/or clarification is considered. On November 6, 2013, this Court granted the defendant's application for leave to appeal limited to "(1) whether the Court of Appeals correctly applied *Miller v Alabama*, 567 US ____ (2012), to Michigan's sentencing scheme for first-degree murder; (2) whether that sentencing scheme amounts to cruel or unusual punishment under Const 1963, art 1, § 16 as applied to defendants under the age of 18; and (3) what remedy is required for defendants whose sentences have been found invalid under *Miller* or Const 1963, art 1, § 16." *People v Eliason*, 495 Mich 891 (2013). With regard to the other issues that were raised in the defendant's application for leave to appeal but not addressed in this Court's prior opinion, leave to appeal is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court. In all other respects, the motion for rehearing and/or clarification is DENIED.



t1015

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 22, 2014

Clerk